REMARKS

[0010] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1, 3, 4, 7-14, 16, 18-24, 26-33, 35, 36, 38 and 39 are currently pending;

- No claims are canceled herein;

- No claims are withdrawn herein;

- Claims 1, 4, 7-9, 11-14, 16, 32-33, 36 and 38-39 are amended herein; and

- No new claims are added herein.

[0011] Claims 1, 16, 32-33 and 36 are amended to include subject matter from dependent claim 6. In particular, as to claim 36, the recited "logic" of detecting and logging is "performed by one or more components of an operating system of the server" and most closely reflects the allowable subject matter of claim 6.

Allowed Claims

[0012] Claim 6 is objected to as depending from a rejected base claim. The Examiner has indicated that this claim would be allowable if rewritten in independent form including all of the features of the base claims from which it depends. The Applicant thanks the Examiner for this indication.

[0013] Independent claims 1, 16, 32-33 and 36 are re-written to incorporate the subject matter of claim 6. The Applicant respectfully asserts that all claims, as amended herein, are now in condition for allowance.

Claim Objections

[0014] Claims 14, 38 and 39 stand objected to as allegedly reciting unclear subject matter. These claims have been amended. Applicant submits that these objections are now moot and Applicant respectfully asks the Office to withdraw these objections.

Claims *1, 16 and 33* Comply With § 112, First Paragraph.

[0015] Claims 1, 16 and 33 stand rejected under 35 U.S.C. § 112, First Paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully traverses this rejection.

[0016] The text of 35 U.S.C. § 112, First Paragraph, states in pertinent part that the specification "shall contain a written description of the invention . . . in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains . . . to make and use the same." Applicant respectfully asserts that it has complied with this requirement.

[0017] The Office asserts that there is no support in the specification for "determining which of the information that is descriptive of the occurrence of the event to put into" a server entry (corresponding to a server entry log) or application entry (corresponding to an application entry log), where the information is "a function of a predetermined level of verbosity selected from a plurality of levels of verbosity for the Web application and server."

[0018] As stated previously in the Response dated June 5, 2009, the Applicant respectfully directs the Office to at least paragraphs [0030] and [0037] for a

"predetermined level of verbosity" and related disclosure for support of claim language directed to a "predetermined level of verbosity."

[0019] Further, as to an alleged lack of support for "or both the server entry and the application entry," the Applicant respectfully directs the Examiner to at least paragraph [0032] for server entries and application entries. In particular, paragraph [0032] states that "multiple logger streams may be active at one time, typically one for a kernel logger and one for each trace-enabled **application** that is running on the server" (emphasis added). Paragraph [0038] states in pertinent part that as "the Web request is serviced by the **server**, the **server** determines whether or not it **should publish** a trace event," (emphasis added). Paragraph [0038] indicates that the "server" is publishing a trace event. Paragraph [0039] states that "APIs allow Web applications that are running on or interfacing with the server to publish their own events as they happen," which implies that the server can publish its own events such as to a "server entry." Paragraph [0042] states that the interface layer "extend the functionality of the server," implying a server making a "server entry."

[0020] Paragraph [0048] states that a server can "log events that happen into one **or more** event trace output files," (emphasis added). Thus, it appears that the plain language of the specification supports "or both the server entry and the application entry" as recited in claims 1, 16 and 33 and contrary to the indication of the Office in the Advisory Action, p. 3. Consequently, the Applicant respectfully asserts that there is disclosure that supports the language currently recited in claims 1, 16 and 33 as to "or both the server entry and the application entry," especially as would be understood by one of ordinary skill in the art.

[0021] As to § 112, First Paragraph, the Applicant respectfully reminds the Examiner that the "claimed invention subject matter need not be described literally, i.e., using the same terms, in order for the disclosure to satisfy the [§ 112, First Paragraph] description requirement," as stated at MPEP 2106.V.B.1 and as supported by *Regents of the University of California v. Eli Lilly & Co.*, 119 F.3d 1559, 1566-67, 43 USPQ.2d 1398, 1404-05 (Fed. Cir. 1997).

[0022] For at least these reasons, Applicant respectfully requests the Examiner to withdraw these rejections.

Claims *4, 11-13 and 36* Comply With § 112, 2nd Paragraph.

[0023] Claims *4, 11-13 and 36* stand rejected under 35 U.S.C. § 112, Second Paragraph, as allegedly being indefinite for merely reciting "the entry." The Applicant respectfully traverses this rejection.

[0024] These claims have been amended as shown above to clarify "the entry" as either a "server entry" or "application entry." The Applicant asserts that the rejection of these claims is thereby moot and respectfully asks the Examiner to withdraw the rejection of claims 4, 11-13 and 36 pursuant to 35 U.S.C. § 112, Second Paragraph.

Cited Documents

[0025] The following documents have been applied to reject one or more claims of the Application:

- **Tracing Overview**: Microsoft, Tracing Overview, copyright 2002, pp. 1-8.

- **Schaefer**: Schaefer, et al., U.S. Patent No. 6,157,927

- **Log Explorer**: "Log Explorer Walkthrough", retrieved on April 16, 2007, at <<http://web.archive.org/web/20020804201507/www.lumigent.com/LogExplorer/ walk/walkthrough.htm>>, Lumigent Technologies, pp 20.

Claims 1, 3, 4, 7-10, 13, 14, 32, 36, 38 and 39 Are Non-Obvious Over Tracing Overview in view of Schaefer.

[0026] Claims 1, 3, 4, 7-10, 13, 14, 32, 36, 38 and 39 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Microsoft in view of Schaefer. The Applicant respectfully traverses the rejection of these claims.

[0027] Independent claims 1, 16, 32, 33 and 36 have been amended to recite the subject matter of claim 6. Claim 6 was found to include allowable subject matter (Office Action dated April 6, 2009, p. 7). Consequently, the Applicant asserts that these claims, and all claims respectively dependent therefrom, now recite allowable subject matter and are now in condition for allowance. The Applicant respectfully asks the Examiner to withdraw the rejection of these claims.

Claims 11, 12, 16, 18-24, 26-31, 33 and 35 Are Non-Obvious Over Microsoft in view of Schaefer, further in view of LogExplorer.

[0028] Claims 11, 12, 16, 18-24, 26-31, 33 and 35 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Tracing Overview in view of Schaefer, further in view of LogExplorer. Applicant respectfully traverses the rejection.

[0029] Independent claims 1, 16, 32, 33 and 36 have been amended to recite the subject matter of claim 6. Claim 6 was found to include allowable subject matter (Office

Action dated April 6, 2009, p. 7). Consequently, the Applicant asserts that these claims, and all claims respectively dependent therefrom, now recite allowable subject matter and are now in condition for allowance. The Applicant respectfully asks the Examiner to withdraw the rejection of claims 11, 12, 16, 18-24, 26-31, 33 and 35.

Conclusion

[0030] The Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

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